LIBRARY
SUPREME COURT, U. S.

Supreme Court, U. S.
FILED
NOV 5 1973
MICHAEL RODAK, JR., CLERK

IN THE

Supreme Court of the United States

October Term, 1973

No. 73-633

CELANESE CORPORATION AND FIBER INDUSTRIES, INC.,

Petitioners,

v.

THE HONORABLE ROBERT W. HEMPHILL, DISTRICT JUDGE,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

BRIEF IN OPPOSITION

GRANVILLE M. BRUMBAUGH
JAMES N. BUCKNER
BRUMBAUGH, GRAVES, DONOHUE & RAYMOND
Attorneys for Ateliers Roannais de Constructions Textiles
30 Rockefeller Plaza
New York, New York 10020
(212) 489-3300

IN THE

Supreme Court of the United States

October Term, 1973

No. 73-633

CELANESE CORPORATION AND FIBER INDUSTRIES, INC.,
Petitioners,

v.

THE HONORABLE ROBERT W. HEMPHILL, DISTRICT JUDGE,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

BRIEF IN OPPOSITION

There are no special or important reasons why the writ prayed for in this case should be granted.

The District Court has permitted petitioners to have access to the documents they seek upon conditions which the Court of Appeals has found to be within the lower Court's discretion to impose. Petitioners have complied with these conditions and even now are inspecting such documents. In denying the writ of mandamus and prohibi-

tion, the Court of Appeals observed that if petitioners are dissatisfied with any costs assessed against them after completion of the inspection, an appeal will afford them an adequate remedy.

In view of the foregoing, petitioners' attempt to have the District Court's order reviewed at this stage of the proceedings seems clearly inappropriate.

Conclusion

The petition for writ of certiorari should be denied.

Respectfully submitted,

GRANVILLE M. BRUMBAUGH
JAMES N. BUCKNER
BRUMBAUGH, GRAVES, DONOHUE & RAYMOND
Attorneys for Ateliers Roannais de Constructions Textiles
30 Rockefeller Plaza
New York, New York 10020
(212) 489-3300